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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/921,489 | 08/03/2001 | Joseph R. Hedrick | IGTIP060/P-568 | 4887 |
| 22434 | 7590 | 04/07/2004 | EXAMINER | |
| BEYER WEAVER & THOMAS LLP | | | NGUYEN, KIM T | |
| P.O. BOX 778 | | | | |
| BERKELEY, CA 94704-0778 | | | ART UNIT | PAPER NUMBER |
| | | | 3713 | |

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,489

Applicant(s)

HEDRICK ET AL.

Examiner

Kim Nguyen

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-89 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/12/03 & 2/11/04
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

The amendment filed on January 5, 2004 has been received and considered. By this amendment, claims 1-89 are now pending in the application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acres (US Patent No. 6,319,125).

a. As per claim 1, 4-5 and 22, Acres discloses a player tracking unit comprising a front panel, a display (Fig. 1; col. 4, lines 33-34; col. 15, lines 27-30; and col. 20, lines 18-21), an illumination device for conveying information for a game player on a gaming machine (col. 7, lines 39-40; col. 15, lines 64-67; and col. 20, lines 52-54), a card reader (col. 15, lines 36-39), a logic device to communicate with the display, the card reader, a master gaming controller and to control the illumination device (Fig. 7 and Fig. 10; col. 20, lines 55-67; and col. 21, lines 1-20). Acres does not explicitly disclose installing the illumination device adjacent to the display. However, in Fig. 1 of Acres, the illumination device 315 is near to the display 10 (Fig. 1). It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to place the illumination device adjacent to the display, since arranging an illumination device at a specific location preferred by a designer requires only routine skill in the art.

b. As per claim 2-3, 8-10, 15, 17-21, 23-36, and 39-56, covering the illumination devices with translucent color material, independently illuminating each illumination device in a time varying pattern, and providing voltage signals to the illumination devices from a lamp controller, providing voltage signals to an illumination device, including a proximity sensor and illuminating the illumination device in response to the sensor, or to a card inserted in the card reader, issuing a voice message to indicate the status of an input from the user, etc. would have been well known to a person of ordinary skill in the art at the time the invention was made.

c. As per claim 6-7, Acres discloses surrounding the card reader with illumination devices (Fig. 1; col. 15, lines 36-41). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the illumination devices to surround the display 10 (Fig. 1) of Acres, since surrounding illumination devices around a specific area of the game machine to attract attention of the player requires only routine skill in the art.

d. As per claim 11-14, Acres discloses illuminating the illumination device and generating sound in response to a game played on the gaming machine (col. 7, lines 36-44 and 56-64).

Further, allowing the player to play a bonus game would have been well known.

e. As per claim 16, Acres discloses using the illumination devices to indicate a status of a card inserted in the card reader (col. 15, lines 64-67; and col. 16, lines 1-56).

f. As per claim 37-38, Acres discloses outputting information aurally and visually (col. 4, lines 33-36; col. 10, lines 51-56; col. 15, lines 27-30 and 36-41; and col. 20, lines 18-29).

Art Unit: 3713

- g. As per claim 57, 60-74, and 76-83, refer to discussion in claims 1, 8-9, 11-14, 29, 39-40, 42-47, 54, 56, 22, and 17-18 above.
- h. As per claim 58, 75, and 84-89, the claimed limitations would have been well known to a person of ordinary skill in the art at the time the invention was made.
- i. As per claim 59, Acres discloses a video slot game (Fig. 1).

Response to Arguments

3. Applicant's arguments with respect to claims 1-89 have been considered but are moot in view of the new ground of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any response to this final action should be mailed to:

Box AF

Art Unit: 3713

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9306, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Hand-delivered responses should be brought to Crystal Plaza II, Arlington, VA
Second Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thursday from 8:30AM to 5:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The central official fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.



Kim Nguyen
Primary Examiner
Art Unit 3713

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Date: April 3, 2004